

IN THE UNITED STATES DISTRICT COURT FOR THE

DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)

)

Plaintiff(s),)

)

v.)

)

ONE 1985 CHEVROLET ASTRO VAN,)

)

VIN 1G8DM15NOFB188154,)

)

Defendant(s).)

FILED
U. S. DISTRICT COURT 13
DISTRICT OF NEBRASKA

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8:CV91-00317 NORBERT H. EBEL
CLERK CAORDER SETTING SCHEDULE
FOR PROGRESSION OF
NON-JURY CASE

IT IS ORDERED;

1) Trial is set for the **October, 1992** non-jury session in Omaha, Nebraska, before the Honorable Lyle E. Strom, Chief Judge, United States District Court.

2) A pretrial conference is set for **September 23, 1992** at **10:15 a.m.**, before the Honorable Richard C. Peck, United States Magistrate, Room 9021, United States Post Office & Courthouse, 215 North 17th Street, Omaha, Nebraska. Counsel shall complete prior to the pretrial conference, all items as directed in Local Rule 25. By the time of the pretrial conference, full preparation for trial shall have been made so that trial may begin at any time during the session indicated above.

3) The pretrial conference will include a settlement conference, and counsel shall be prepared through investigation, discovery and communication with clients and insurers, if any, to discuss fully the subject of settlement, including realistic expectations about liability, obstacles to agreement, offers made, offers which can be made at the conference, and recommendations for further negotiations and conferences.

4) All depositions whether or not they are intended to be used at trial, shall be completed by **July 23, 1992**. All interrogatories, request for admission and requests for production or inspection, whether or not they are intended to be used at trial, shall be served sufficiently early to allow rule time response before that date. Any motions to compel discovery shall be filed not later than thirty days prior to the date set forth above for completion of depositions as to matters which are then ripe for decision; discovery matters arising after that date may be the subject of motions to compel discovery until the date set for completion of depositions. Counsel are reminded of the provisions of Local Rule 20I.

5) Any motions for summary judgment in this matter shall be filed not later than fifteen (15) days after date set for completion of discovery and shall conform with Local Rule 20.

6) Expert witnesses:

(a) In accordance with the schedule set forth in subparagraph (b) below, each party shall serve all opposing parties with a statement of the expert witnesses it expects to call to testify at trial pursuant to the provisions of Fed. Rule of Evid. 702, including the name and address of each such expert witness, the subject matter on which the expert is expected to testify, the substance of the facts and opinions to which the expert is expected to testify, and a summary of the grounds for each of the expert's opinions, in accordance with Fed.R.Civ.P. 26(b)(4)(A)(i). If necessary to rebut the expected testimony of experts disclosed pursuant to the previous sentence, each party may name additional expert witnesses, together with the above information, as soon thereafter as practicable, but not later than thirty (30) days prior to the date set the completion of depositions.

(b)(1) Plaintiff shall comply with subparagraph (a) above as soon as practicable, but not later than ninety (90) days prior to the date set forth in Paragraph 4 above.

(b)(2) Defendant(s) shall comply with subparagraph (a) above as soon as practicable thereafter but not later than sixty (60) days prior to the date set forth in Paragraph 4 above.

7) Any motions to add parties to this action shall be filed within ninety days of the date of this order.

8) Counsel shall observe the requirements of Local Rules 8 and 27 concerning briefs and proposed findings of fact.

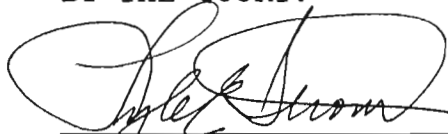
9) All requests for changes of date settings in this order shall be made to the undersigned Judge.

10) This order is for scheduling purposes only. If this schedule has been set without consultation with counsel by a scheduling conference or otherwise as provided in Local Rule 25, and this schedule is not acceptable, counsel shall notify the Court within ten (10) days of the date of this order that the proposed schedule is not acceptable, the reasons therefor, and either jointly propose an acceptable schedule or request a scheduling conference for the purposes of establishing a progression schedule.

11) In the event there is now pending any motion to dismiss this case, for judgment on the pleadings, or for summary judgment, the fact that this progression order has been entered does not mean that such motion will or will not be granted.

DATED this 27th day of November, 1991.

BY THE COURT:



LYLE E. STROM, Chief Judge
United States District Court